

SWS:Imp 11/28/05 P0436L

PATENT

RemarksClaim Status:

Claims 8-17, 21-25, 27-29 and 31-41 are pending in the application. Claims 8, 13 and 31 are amended without prejudice and claims 36-41 are newly presented.

We greatly appreciate the indication that claims 21-24 are allowed. We also suspect that claim 35 is allowable at least since it depends from allowable claim 21. (We also submit that claim 35 recites a patentable combination in its own right.)

Art-based Rejections:*Claim 25*

Claim 25 recites a method to identify physical media. The method includes analyzing a visual pattern on the physical media through at least one of hashing and fingerprinting of the visual pattern to derive a plural-bit identifier from the visual pattern itself.

Kondo (U.S. Patent No. 6,363,043) is not understood to teach or suggest such a combination. For example, Kondo seems concerned with pattern recognition through use of image recognition software (see Col. 4, lines 59-60). In one embodiment, Kondo will determine whether an expected mammoth portrait and clover picture are present (see Col. 4, lines 32-66), but does not seem to derive a plural-bit identifier from the mammoth or clover.

The outstanding office action refers¹ us to its reasoning as set forth in an earlier office action (see the July 27, 2005 Office Action at page 2). The relied upon Kondo passage is found at Col. 1, lines 40-55 (see the November 2004 Office Action on page 13).

We have reviewed this passage, and fail to understand how this teaches or suggest analyzing through at least one of hashing or fingerprinting to derive a plural-bit identifier, in combination with the other features of claim 25. Instead, this passage seems concerned with selecting information (e.g., a mammoth portrait) from among a plurality of such information, and placing that information in the disk.

¹ The July 25, 2005 Office Action refers to an October 25, 2005 Office Action. We think this is an inadvertent error, since the previous Office Action was mailed on November 2, 2004. Thus, our relevant analysis looks at the November 2004 Office Action. We invite the Examiner to correct any misunderstanding on our part.

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Favorable reconsideration is requested.

Claim 8

Claim 8 recites a method including altering values representing a visual design to embed a plural-bit digital watermark therein. For example, the values may include DCT coefficients, color, luminance or chrominance values, etc. This act results in a visual design (e.g., an image or graphic) including a plural-bit digital watermark embedded therein.

The embedded visual design is then applied to physical media through changes to a pit-pattern carried by the physical media.

In contrast, Carson (U.S. Patent No. 6,469,969) would either i) embed data in a coarse fashion so that it generates a human readable watermark (e.g., a visual watermark; see Col. 12, lines 40-43 and col. 2, lines 52-55); or ii) embed data in the media in a hidden fashion (see Col. 12, lines 43-47 and Col. 2, lines 56-59).

Carson does not embed a watermark in a design and then apply the embedded design to the media.

We respectfully request that claim 8 be allowed.

Claim 13

Similarly, claim 13 recites media including a plurality of pits, the media including a visual design formed by the plurality of pits; and a plural-bit digital watermark embedded within the visual design through subtle changes to data representing the visual design.

We respectfully request that claim 13 be allowed.

Claim 31

Analogous to claims 8 and 13, discussed above, claim 31 recites optical media with a set of pits arranged to convey a graphic design or visual image. The graphic design or visual image comprises a plural-bit digital watermark embedded therein through subtle changes to data representing the visual design that is detectable from a 2-dimensional image of the data side.

The proposed references are not understood to teach or suggest such a combination.

Favorable consideration is requested.

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New Claim 36

Claim 36 recites a method including receiving optical scan data representing at least a portion of a data side a physical media. The data side of the physical media comprises a machine-readable watermark formed through a pit pattern. The watermark is decoded to obtain a plural-bit message. A remote resource is linked to using at least some information carried by the message. Successfully completing the linking authenticates the physical media.

The applied art is not understood to teach or suggest such a combination. Favorable consideration is respectfully requested.

Conclusion:

The application is believed to be in condition for allowance. Nevertheless, the Examiner is respectfully invited to contact the undersigned at 503-469-4685 with any questions.

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Respectfully submitted,

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